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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION N
10/666,983	09/16/2003	Yu Tang Chen		6666
	7590	10/19/2004		
Yu Tang Chen No. 22, LANE 427, DASHENG STREET TAICHUNG CITY 408, TAIWAN			EXAMINER GRANT, ALVIN J	
			ART UNIT 3723	PAPER NUMBER

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/666,983

Applicant(s)

CHEN, YU TANG

Examiner

Alvin J Grant

Art Unit

3723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,7,9-11,13 and 14 is/are rejected.
- 7) ☒ Claim(s) 5,6,8 and 12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-4, 7, 9, 11, 13 and 14** are rejected under 35 U.S.C. 102(e) as being anticipated by Liu '449.

Liu discloses a ratchet wrench, comprising a wrench body, a ratchet wheel, a pawl member, and a control member, wherein: the wrench body has an end formed with a receiving hole having a side formed with a receiving recess (12) and a control recess (13) located beside the receiving recess, the ratchet wheel is rotatably mounted in the receiving hole of the wrench body, the pawl member (22) is pivotally mounted in the receiving recess of the wrench body and has a first side engaged with the ratchet wheel and a second side formed with an arcuate concave face (23), the control member (15) is rotatably mounted in the control recess of the wrench body to control movement of the pawl member in the receiving recess of the wrench body, the control member has a peripheral face rested on the arcuate concave face of the pawl member, and the control member drives the pawl member to press a side face of the receiving recess of the wrench body and to engage the ratchet wheel; the control member is formed with a receiving chamber, and the ratchet wrench further comprises an urging cap movably mounted in the receiving chamber of the control member and urged on the arcuate concave face of the pawl member to engage the ratchet wheel; the urging cap is rested on a first side of the arcuate concave face of the pawl member

to drive the pawl member to press a side face of the receiving recess of the wrench body and to engage the ratchet wheel, and the peripheral face of the control member is rested on a second side of the arcuate concave face of the pawl member; an elastic member mounted in the receiving chamber of the control member and urged on the urging cap toward the arcuate concave face of the pawl member; a direction control member rotatably mounted on the wrench body and secured on the top of the control member for rotating the control member; a bottom cover (53) secured in the receiving recess of the wrench body and rested on the bottom of the ratchet wheel; the peripheral face of the control member has a cylindrical shape and is tangent to the arcuate concave face of the pawl member, the control member and the pawl member form a linear contact face; the ratchet wheel has an inner wall formed with a polygonal recess and an wall provided with a plurality of ratchet teeth; and the first side of the pawl member is provided with a plurality of locking teeth meshing the ratchet teeth of the ratchet wheel.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim 10** is rejected under 35 U.S.C. 103(a) as being unpatentable over Liu in view of Hu 148.

Liu is described above. Liu does not specifically disclose snap ring secured in the snap groove. Hu discloses a ratchet wrench comprising a snap ring secured in a groove rested on the bottom of the cover so as to secure the cover. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used a snap ring in the apparatus of Liu as taught by Hu so as to secure the bottom plate.

***Allowable Subject Matter***

**Claims 5, 6, 8 and 12** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin J Grant whose telephone number is (703) 305-3315. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph J Hail can be reached on (703) 308-2687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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